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FIDELITY CAPITAL FUNDING, INC.

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

11 WASHINGTON MUTUAL BANK, a federal)
savings bank, as successor at law to Long Beach)
12 Mortgage Company,)

13 Plaintiff,

14 v.

15 FIDELITY CAPITAL FUNDING, INC., a)
California corporation)

16 Defendant.

CASE NO. CV 08 1407 EMC

STIPULATION ; ORDER

Action Filed: March 12, 2008

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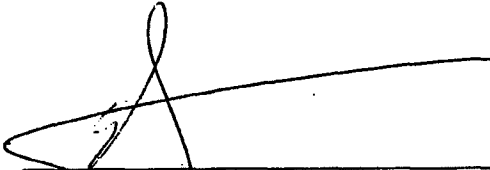
Plaintiff WASHINGTON MUTUAL BANK, as successor at law to Long Beach Mortgage Company, and Defendant FIDELITY CAPITAL FUNDING, INC., hereby stipulate that defendant Fidelity Capital Funding, Inc. shall have up to, and including, April 28, 2008 to file its response to the Complaint in this action.

It is so agreed:

DATED: April 23, 2008

WASHINGTON MUTUAL BANK

By


NOEL S. JOHNSON
Office of the General Counsel
WASHINGTON MUTUAL BANK

DATED: April 21, 2008

LEWIS BRISBOIS BISGAARD & SMITH LLP

By


WILLIAM P. BURANICH
Attorneys for Defendant
FIDELITY CAPITAL FUNDING, INC.

IT IS SO ORDERED

Edward M. Chen
U.S. Magistrate
Judge

